

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOSE F. VALENCIA,

Plaintiff,

v.

No. 12cv0137 JCH/LAM

**CITY OF SANTA FE, SANTA FE POLICE
DEPARTMENT, GERALD SOLANO,
ERIC B. JOHNSON, ARIC WHEELER,
GERALD RIVERA, STEPHEN RYAN, and
JOHN DOES I-X, both in their official
capacities and as Individuals,**

Defendants.

ORDER DENYING AS MOOT MOTION TO QUASH DEPOSITION

THIS MATTER is before the Court on Plaintiff's *Motion to Quash Deposition of Daniel Ramirez* (*Doc. 59*), filed October 31, 2012. Defendants Gerald Solano, Eric Johnson, Aric Wheeler, Gerald Rivera, and Stephen Ryan (hereinafter "Defendants") filed a response to the motion on November 6, 2012 (*Doc. 62*), and Plaintiff filed a reply on November 7, 2012 (*Doc. 65*). On November 9, 2012, the Court held a telephonic hearing on the motion at which counsel for Plaintiff and Defendants appeared. *See Clerk's Minutes* (*Doc. 68*). At the hearing, the Court was informed that the parties had agreed to a different date for Mr. Ramirez' deposition, so the motion is now moot. The Court notes that having to go forward with the hearing was a waste of the Court's resources, not to mention the expense to the attorneys' clients in having to go forward with a hearing on an issue that had been resolved. The Court encourages the parties to try harder to resolve their discovery disputes without the Court's involvement when possible.

IT IS THEREFORE ORDERED that Plaintiff's *Motion to Quash Deposition of Daniel Ramirez* (Doc. 59) is **DENIED** as moot.

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE